

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6027-CR-ZLOCH  
Magistrate Judge Seltzer

UNITED STATES OF AMERICA,  
Plaintiff,

v.

JOHNNIE POWELL,

Defendant.

FILED  
U.S. DISTRICT CT.  
S.D. OF FLA.-FTL  
CORR 12 AM 9:37  
JUN 1 2000

**DEFENDANT'S UNOPPOSED MOTION FOR CONTINUANCE**

COMES NOW the defendant, Johnnie Powell, by and through his undersigned attorney, and files his Unopposed Motion For Continuance, and states as follows:

1. The above-styled matter is set for trial on the May 22, 2000, trial calendar with a calendar call set for Friday, May 19, 2000. This is the second trial setting in this case.

2. The defendant respectfully requests a continuance of the trial date. The defendant is charged in a multi-count indictment with tax evasion. The discovery provided to date is relatively voluminous. Additional time is necessary for the undersigned and the defendant to review the discovery and complete preparation for trial.

3. Several other matters have precluded the undersigned from preparing for trial. Moreover, the undersigned has a complex initial brief due in the Eleventh Circuit on May 29, 2000, in a voluminous bank fraud case which took over two months to try. Preparation of this brief will render it impossible to complete trial preparation by May 22, 2000.

*[Signature]*  
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4. The undersigned has discussed this motion with the defendant, who is on bond, and he has agreed to the filing of the motion.

5. In addition, AUSA Robin Rosenbaum has advised that she has no objection to the Court granting the motion and continuing the case. AUSA Rosenbaum has filed a notice of unavailability for both herself and the lead case agent reflecting their unavailability through June 6, 2000.

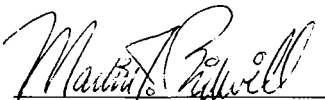
6. If the Court grants this motion, the undersigned respectfully requests that the Court not set the case for trial between July 1, 2000, and July 8, 2000, as the undersigned is planning on being out of town on a long planned family vacation.

WHEREFORE the defendant prays that the Court grant this motion and continue the trial of this cause.

Respectfully submitted,

KATHLEEN M. WILLIAMS  
FEDERAL PUBLIC DEFENDER

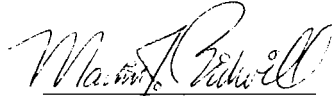
By:



Martin J. Bidwill  
Assistant Federal Public Defender  
Attorney for Defendant  
Florida Bar No. 868795  
101 N.E. 3rd Avenue, Suite 202  
Fort Lauderdale, Florida 33301  
(954) 356-7436 / 356-7556 (Fax)

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the aforementioned motion was mailed on this 17<sup>th</sup>  
day of May, 2000, to Robin Rosenbaum, Assistant United States Attorney, 500 East Broward  
Boulevard, Suite 700, Fort Lauderdale, Florida 33394.

A handwritten signature in black ink, appearing to read "Martin J. Bidwill", written over a horizontal line.

Martin J. Bidwill